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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 01-179)

In the Application of:

Rowe et al.

Serial No.: 09/786,253

Filing Date: August 15, 2001

For: Control of Acidosis

Examiner: V. Portner

Group Art Unit: 1645

Confirmation No.: 7071

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Copy of the Supplementary European Search Report;
- b) Information Disclosure Statement;
- c) PTO Form 1449 and 2 references cited therein; and
- d) return receipt postcard.

2. With respect to fees:

- a) A fee is not required at this time.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 23, 2005.

Date: February 23, 2005

Respectfully submitted,

Michael S. Greenfield  
Registration No. 37,142



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**INFORMATION DISCLOSURE STATEMENT**

**Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the cited references are enclosed. These references are also listed on the enclosed PTO Form 1449.

Also, attached to each reference in a language other than English is a translation or an explanation of the relevance in accordance with 37 C.F.R. § 1.98 (a) (3). For Information Disclosure Statements submitted after receipt of a foreign Search Report, a copy of such Search Report is attached.

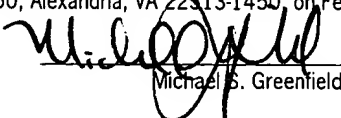
This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

The references listed in this Information Disclosure Statement and the accompanying PTO FORM 1449 were first cited in a European Search Report for the corresponding European application no more than three months before the filing of this Supplemental Information Disclosure Statement. In view of the foregoing, the applicants believe no fee is due, but if this belief is incorrect the PTO is authorized to charge all required fees to Deposit Account No. 13-2490.

**CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 23, 2005.

Date: February 23, 2005

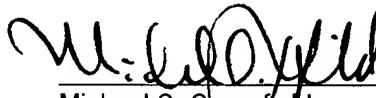
  
Michael S. Greenfield

## OTHER DOCUMENTS

1. Shu Q. et al., "Immunisation against lactic acidosis in cattle", Research in Veterinary Science, Vol. 67, No. 1, August 1999 (1999-08), pages 65-71, XP002312760 ISSN: 0034-5288.
2. Gill Harsharnjit S. et al., "Immunization with Streptococcus Bovis Protects Against Lactic Acidosis in Sheep" Vaccine, Vol. 18, No. 23, May 2000 (2000-05), pages 2541-2548 XP004195919, ISSN 0264-410X.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: February 23, 2005

By:   
Michael S. Greenfield  
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FORM PTO-1449  
(Rev. 2-32)

U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.

01-179

Serial No.

09/786,253

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use several sheets if necessary)



Applicant:

Rowe et al.

Filing Date:

August 15, 2001

Group:

1645

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initial | Document Number | Date | Name | Class | Subclass | Filing<br>Date if<br>Appropriate |
|---------------------|-----------------|------|------|-------|----------|----------------------------------|
|                     |                 |      |      |       |          |                                  |
|                     |                 |      |      |       |          |                                  |

**FOREIGN PATENT DOCUMENTS**

|  | Document Number | Date | Country | Class | Subclass | Translation |    |
|--|-----------------|------|---------|-------|----------|-------------|----|
|  |                 |      |         |       |          | Yes         | No |
|  |                 |      |         |       |          |             |    |
|  |                 |      |         |       |          |             |    |

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).**

|          |  |  |
|----------|--|--|
|          |  | Shu Q. et al., "Immunisation against lactic acidosis in cattle", Research in Veterinary Science, Vol. 67, No. 1, August 1999 (1999-08), pages 65-71, XP002312760 ISSN: 0034-5288                         |
|          |  | Gill Harsharnjit S. et al., "Immunization with Streptococcus Bovis Protects Against Lactic Acidosis in Sheep" Vaccine, Vol. 18, No. 23, May 2000 (2000-05), pages 2541-2548 XP004195919, ISSN 0264-410X. |
| EXAMINER |  | DATE CONSIDERED  |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.